

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

PAUL SIFRE,)
)
)
Plaintiff,)
)
)
vs.)
)
)
WELLS FARGO BANK,) **ORDER**
)
)
Defendant.)
)

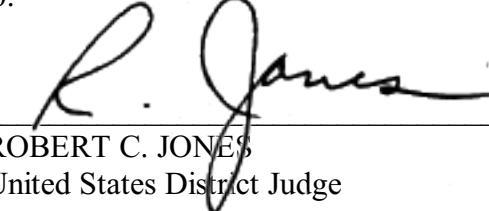
This case arises out of the impending foreclosure of Plaintiff's mortgage. Plaintiff requests a temporary restraining order to prevent a sale of his home. The Court cannot tell from the pleadings whether a sale has been scheduled, but Plaintiff implies that a notice of default has been filed. Petitioner appears pro se and has not included copies of the deed of trust or foreclosure documents, but the Court is aware of common statutory defects in local foreclosures. Particularly, foreclosing entities often are not the trustee, beneficiary, or agents thereof when they file notices of default. See Nev. Rev. Stat. § 107.080(2)(c).

CONCLUSION

IT IS HEREBY ORDERED that Defendant is temporarily enjoined from selling the property at 3660 Hawking Court, Sparks, NV 89436 until 5:00 p.m. on Thursday, September 30, 2010 so that the Court may clarify the status of the foreclosure and discern whether Plaintiff is eligible for the state

1 foreclosure mediation program or is willing and able to participate in court-ordered mediation. The
2 Court will hold a hearing on preliminary injunction on the eighth floor of the Bruce R. Thompson
3 Federal Courthouse in Reno, NV at 9:00 a.m. on September 30, 2010.

4 Dated this 29th day of September, 2010.

5 
6 ROBERT C. JONES
7 United States District Judge